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EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,117

Applicant(s)

HO, ALEXANDER CHANNING

Examiner

Jude J Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/21/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed on 07/13/2001.

Claim Objections

1. Claims 9, and 25-27 are objected to for minor informalities:

Claim 9 is objected to because the word "at" is missing in the preamble:

"The method of Claim 1, wherein the converting step carried out least one of the following steps". The examiner assumes the preamble is as follow: *"The method of Claim 1, wherein the converting step carried out at least one of the following steps".* Appropriate correction is required. The above noticed problem is just merely exemplary. Applicant is required to totally check the application for error and correct the same.

Claims 25-27 are also indefinite because each depends on claim 24 that is rejected as being indefinite.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9, 24, and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9, recites the phrase "*the number of colors*" in line 8. There is no antecedent basis for this limitation in the claim.

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Claim 24, recites the phrase "*the second server*" in line 1. There is no antecedent basis for this limitation in the claim.

Claim 30, recites the phrase "*the number of colors*" in line 4. There is no antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6-22, 24-25, and 28-38 are rejected under 35 U.S.C. 102(e) as being unpatentable by Hawkins et al (U.S. 6,343,318 B1).

Regarding claim 1: Hawkins et al teach a method for delivering content to a mobile device (*column 8, lines 6-11; fig. 1, item 100*), comprising the steps of:

receiving a first request for content from the mobile device (*column 12, lines 49-64; fig. 2, item 240*);

responsive to the first request for content, sending to the mobile device (*column 12, lines 64-67; fig. 2, item 260*) an address of the requested content in

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a reference format (*column 13, lines 47-53; it is important to note that "when the browser appends text parameters to the end of the base document URL" is equivalent to the reference format disclosed*);

receiving a second request from the mobile device for the content, the second request specifying an address of the requested content (*column 10, 7-13; fig. 2, item 250; Hawkins et al disclose that "converting image content to a size and bit depth appropriate for display on the wireless communications device" which inherently reveals the type of wireless device*) and a type of the mobile device (*column 249, lines 30-32 ; it is important to note a connect call is made to specify a remote IP address and port number for the socket. According to the Microsoft Computer Dictionary, fourth edition, "a socket is defined as an identifier for a service on a particular node on a network". The socket here is provided with the address specifying the type of wireless client the server is connected to*);

responsive to the second request, fetching the requested content in the reference format from the specified address (*fig. 2, item 270*) and converting the fetched content from the reference format to a format suitable to the mobile device (*column 10, lines 7-13*), and

delivering the converted content to the mobile device (*fig. 2, item 280*).

Regarding claim 2: Hawkins et al teach the method of Claim 1, wherein the first receiving step and the sending step are carried out by a first server (*column 14, lines 48-57; in fig. 2, block 250; it is important to note that "the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the Web server 140."*) and wherein the second receiving step

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and the fetching and converting steps are carried out by a second server (*column 3 lines 41-46; Hawkins et al disclose a web server a that generates responses to the server. The responses are fetched and formatted according to the second markup language*).

Regarding claim 3: Hawkins et al teach the method of Claim 2, wherein the second server is a software module (*fig. 1, item 140; column 8, lines 31-35; according to the Microsoft computer Dictionary, fourth edition, "a web server or HTTP server is a server software that uses HTTP to serve up HTML documents and any associated files and scripts when requested by a client, such as a web browser". Hawkins et al disclose in lines 32 and 33 of column 8 that the web server includes programs such as a CGI program, responsible for generating HTML pages*).

Regarding claim 4: Hawkins et al teach the method of Claim 2, wherein the software module runs on the first Server (*fig. 1, item 180; column 18, lines 55-58; it is important to note that that the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the web server" in fig. 1. A program that resides on the Proxy server enables the said proxy server to "parse the parameters of the URL and send them to the executable program of the web server" as stated by Hawkins et al in columns 50-53 of column 13*).

Regarding claim 6: Hawkins et al teach the method of Claim 2, wherein the second server includes hardware (*fig. 1, item 140; Hawkins et al disclose that the proxy server (first server 180) and the web server (second server 140) are all coupled to the Internet*).

Regarding claim 7: Hawkins et al teach the method of Claim 1, wherein the first sending step sends the address of the requested content within a base file (*column 22, lines 52-59; it is important to note the presence of the base document followed by data identifying the contents address*).

Regarding claim 8: Hawkins et al teach the method of Claim 1, wherein the address includes a Universal Resource Locator of the requested content (*column 22, lines 52-59; it is important to note that the single packet of data has a based document uniform resource locator followed by data that references fields and links of the contents*).

Regarding claim 9: Hawkins et al teach the method of Claim 1, wherein the converting step carried out least one of the following steps:

- re-sizing the requested content;
- converting the requested content from color to black and white;
- cropping the requested content;
- dithering the requested content,
- flipping the requested content, and
- changing the number of colors of the requested content.

Hawkins et al disclose the steps below:

- re-sizing the requested content (*column 10, column 7-14*);

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converting the requested content from color to black and white (*column 21, lines 62-67*);

cropping the requested content (*column 11, lines 64-65*);

changing the number of colors of the requested content (*column 21, lines 62-67*).

Regarding claim 10: Hawkins et al teach the method of Claim 1, further comprising a step of storing a copy of the converted content in a cache memory (*column 241, lines 7-12; column 10, lines 24-26*).

Regarding claim 11: Hawkins et al teach the method of Claim 10, wherein the delivering step delivers the copy of the converted content from the cache memory if a valid copy of the converted content is present in the cache memory (*column 10, lines 24-26*).

Regarding claim 12: Hawkins et al teach the method of Claim 1, wherein the type of mobile device includes make and model information of the mobile device (*column 249, lines 30-32* ; *it is important to note a connect call is made to specify a remote IP address and port number for the socket. According to the Microsoft Computer Dictionary, fourth edition, "a socket is defined as an identifier for a service on a particular node on a network". The socket here is provided with the address specifying the type of wireless client. It is functionally inherent to add the make and the model as part of the socket information*).

Regarding claim 13: Hawkins et al teach the method of Claim 2, wherein the second server stores a configuration table associating the type of mobile device with display characteristics of the mobile device (*fig. 6, item 620; column 156, lines 8-11; It is important to note that a table similar to the table of columns 133-134 is used to keep the Compact Markup Language Tags*).

Regarding claim 14: Hawkins et al teach the method of Claim 13, wherein the converting step includes a step of accessing the configuration table and converting the requested content to the format specified by the display characteristics associated with the type of the mobile device (*fig. 6, item 620; note that the Message Formatting Layer converts the CML into the wireless communications device Operating System drawing commands*).

Regarding claim 15: Hawkins et al teach the method of Claim 1, wherein the requested content includes an image and wherein the converting step includes a step of changing the resolution of the image (*column 20, lines 60-67*).

Regarding claim 16: Hawkins et al teach the method of Claim 1, wherein the delivering step delivers the converted content to the mobile device at a selectable bit rate (*column 262, lines 19-27*).

Regarding claim 17: Hawkins et al teach the method of Claim 13, wherein the content is of a type selected from a group including image, video, audio, audio stream and video stream. Hawkins et al teach a network "server that includes support for almost all versions of HTML, HTTP, SMTP, POP, etc. " as stated in *column 261, lines 31-36*. It is functionally inherent for an HTTP

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server to process content such as image, video, audio, audio stream and video stream.

Regarding claim 18: Hawkins et al teach the method of Claim 17, wherein the reference format is different for each type of content (*column 10, lines 7-13, 24-25*).

Regarding claim 19: Hawkins et al teach the method of Claim 2, wherein the second server is a software module and wherein the address of the content in the reference format is passed as an argument to the software module (*column 259, lines 10-12*).

Regarding claim 20: Hawkins et al teach a computer system configured to deliver content to a mobile device (*column 8, lines 6-11; fig. 1, item 100*), comprising:

a first server (*fig. 1, item 180*) configured to deliver an address of a content in a reference format (*column 13, lines 47-53; it is important to note that "when the browser appends text parameters to the end of the base document URL" is equivalent to the reference format disclosed*) responsive to a request for the content from the mobile device (*fig. 1, item 100*), and

a first proxy server (*fig. 1, item 180*) configured to receive, from the mobile device (*fig. 1, item 100*), the address of the content in the reference format (*column 18, lines 44-52; column 13, lines 47-53*) and a type of the mobile device (*column 10, 7-13; fig. 2, item 250; Hawkins et al disclose that "converting image content to a size and bit depth appropriate for display on the wireless communications device" which inherently reveals the type of wireless device*), to

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fetch the content at the received address, to convert the fetched content from the reference format to a format suitable to the type of mobile device and to deliver the converted content to the mobile device (*column 10, lines 8-13; fig. 2, items 270, 280*).

Regarding claim 21: Hawkins et al teach the computer system of Claim 20, wherein the first proxy server is a software module (*fig. 1, item 180; column 18, lines 55-58; it is important to note that that the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the web server*" in *fig. 1*. A program that resides on the Proxy server enables the said proxy server to "parse the parameters of the URL and send them to the executable program of the web server" as stated by Hawkins et al in columns 50-53 of column 13).

Regarding claim 22: Hawkins et al teach the computer Claim 21, wherein the software module runs on the first server (*fig. 1, item 180; column 18, lines 55-58; it is important to note that that the proxy server 180 converts the CTP query 124 to an HTTP query 126 and forwards that HTTP query 126 to the web server*" in *fig. 1*. A program that resides on the Proxy server enables the said proxy server to "parse the parameters of the URL and send them to the executable program of the web server" as stated by Hawkins et al in lines 50-53 of column 13).

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Regarding claim 24: Hawkins et al teach the computer of Claim 20, wherein the second server includes hardware (*fig. 1, item 140; Hawkins et al disclose that the proxy server (first server 180) and the web server (second server 140) are all coupled to the Internet*).

Regarding claim 25: Hawkins et al teach the computer of Claim 24, wherein the first server and the first proxy server are coupled to one another by a computer network (*fig. 1, items 180, 140, 190; column 8, lines 22-27*).

Regarding claim 28: Hawkins et al teach the computer system of Claim 20, wherein the first server is configured to send the address of the requested content within a base file (*column 22, lines 52-59; it is important to note the presence of the base document followed by data identifying the contents address*).

Regarding claim 29: Hawkins et al teach the computer system of Claim 20, wherein the address includes a Universal Resource Locator of the requested content (*column 22, lines 52-59; it is important to note that the single packet of data has a based document uniform resource locator followed by data that references fields and links of the contents*).

Regarding claim 30: Hawkins et al teach the computer system of Claim 1, wherein the first proxy server is also configured to selectively re-size the requested content, convert the requested content from color to black and white, crop the requested content, dither the requested content, flip the requested content or to change the number of colors of the requested content.

Hawkins et al disclose the steps below:

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re-sizing the requested content (*column 10, lines 7-14*);

converting the requested content from color to black and white (*column 21, lines 62-67*);

cropping the requested content (*column 11, lines 64-65*);

changing the number of colors of the requested content (*column 21, lines 62-67*).

Regarding claim 31: Hawkins et al teach the computer system of Claim 20, wherein the first proxy server is also configured to store a copy of the converted content in a cache memory (*column 241, lines 7-12; column 10, lines 24-26*).

Regarding claim 32: Hawkins et al teach the computer system of Claim 31, wherein the first proxy server is configured to deliver the copy of the converted content from the cache memory if a valid copy of the converted content is present in the cache memory (*column 10, lines 24-26*).

Regarding claim 33: Hawkins et al teach the computer system of Claim 20, wherein the type of mobile device includes make and model information of the mobile device (*column 249, lines 30-32 ; it is important to note a connect call is made to specify a remote IP address and port number for the socket. According to the Microsoft Computer Dictionary, fourth edition, "a socket is defined as an identifier for a service on a particular node on a network". The socket here is provided with the address specifying the type of wireless client. It is functionally inherent to add the make and the model as part of the socket information*).

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Regarding claim 34: Hawkins et al teach the computer system of Claim 20, wherein the first proxy server is configured to maintain a configuration table associating the type of mobile device with display characteristics of the mobile device (*fig. 6, item 620; column 156, lines 8-11; It is important to note that a table similar to the table of columns 133-134 is used to keep the Compact Markup Language Tags*).

Regarding claim 35: Hawkins et al teach the computer system of Claim 34, wherein the first proxy server is further configured to access the configuration table and convert the requested content to the format specified by the display characteristics associated with the type of the mobile device (*fig. 6, item 620; note that the Message formatting layer converts the CML into the wireless communications device Operating System drawing commands*).

Regarding claim 36: Hawkins et al teach the computer system of Claim 20, wherein the content is of a type selected from a group including image, video, audio, audio stream and video stream Hawkins et al teach a network “*server that includes support for almost all versions of HTML, HTTP, SMTP, POP, etc.*” as stated in *column 261, lines 31-36*. It is functionally inherent for an HTTP server to process content such as image, video, audio, audio stream and video stream.

Regarding claim 37: Hawkins et al teach the computer system of Claim 36, wherein the reference format is different for each type of content (*column 10, lines 7-13, 24-25*).

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Regarding claim 38: Hawkins et al teach the computer system of Claim 20, wherein the first proxy server is a software module and wherein the address of the content in the reference format is passed as an argument to the software module (*column 259, lines 10-12*).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5 and 23 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hawkins et al (U.S. 6,343,318 B1) in view of Dutta et al (U.S. 6,615,212 B1).

Regarding claim 5: Hawkins et al teach all the limitations of the system of claim 2, but fail to disclose a system wherein the software module runs on at least one third server that is distinct from the first server.

However, Dutta et al (*column 5, lines 53-65; fig. 4, items 402, 412-416*) in the same field of endeavor, teach a system with three originating servers where "*originating server 412 supports content of DB2 format, and originating server 414 supports content in DB2 format, and originating server 416 supports content in Hypertext Markup Language (HTML) format*" and a transcoding server 402 that *receives requests from the originating servers..*

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It would have been obvious for an ordinary skill in the art at the time of the invention to use one the originating servers of Dutta et al as a third server in the network of Hawkins et al to support different data format from the clients as stated by Dutta et al in lines 54 and 55 of column 5.

Dutta et al teach that it is old and well known in the network communications art to get the advantage using a third server to dynamically provide contents for transcoded data. An artisan in the network communications art at the time of the invention would have been motivated to include the third server to get the advantage of sending transcoded data to the electronic network.

Regarding claim 23: Hawkins et al teach all the limitations of the system of claim 21, but fail to disclose a system wherein the software module runs on at least one third server that is distinct from the first server.

However, Dutta et al (*column 5, lines 53-65; fig. 4, items 402, 412-416*) in the same field of endeavor, teach a system with three originating servers where *"originating server 412 supports content of DB2 format, and originating server 414 supports content in DB2 format, and originating server 416 supports content in Hypertext Markup Language (HTML) format" and a transcoding server 402 that receives requests from the originating servers..*

It would have been obvious for an ordinary skill in the art at the time of the invention to use one the originating servers of Dutta et al as a third server in the network of Hawkins et al to support different data format from the clients as stated by Dutta et al in lines 54 and 55 of column 5.

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Dutta et al teach that it is old and well known in the network communications art to get the advantage using a third server to dynamically provide contents for transcoded data. An artisan in the network communications art at the time of the invention would have been motivated to include the third server to get the advantage of sending transcoded data to the electronic network.

7. Claims 26 and 27 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hawkins et al (U.S. 6,343,318 B1) in view of Dillon et al (U.S. 6,658,463 B1).

Regarding claim 26: Hawkins et al teach all the limitations of the system of Claim 25, but fail to further include a plurality of second proxy servers each of the plurality of second proxy servers being configured as the first proxy server and coupled to the computer network.

However, Dillon et al (*fig. 5, items 102, 110, 104, 112, 204, and 124; column 7, lines 17-27*) in the same field of endeavor, teach "*the web servers 110, and the upstream proxy server 102 are connected to a TCP/IP internetworking 124 referred to as the upstream internetwork. The upstream proxy server 102 is able to multicast to the downstream proxy servers 104, 112, 204 by the multicast network 126*".

It would have been obvious for an ordinary skill in the art at the time of the invention to use the upstream and downstream proxy servers of Dillon et al and integrate them into the network of Hawkins et al to improve reporting. An artisan in the network communications art at the time of the invention would have been

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motivated to include the plurality of proxy servers to get the advantage of improved reporting in the electronic network.

Regarding claim 27: Hawkins et al teach all the limitations of the system of Claim 26, but fail to further include a computer system wherein at least some of the plurality of second proxy servers are geographically separated from one another.

However, Dillon et al (*fig. 5, items 102, 110, 104, 112, 204, and 124; column 7, lines 17-27*) in the same field of endeavor, teach "*the web servers 110, and the upstream proxy server 102 are connected to a TCP/IP internetworking 124 referred to as the upstream internetwork. The upstream proxy server 102 is able to multicast to the downstream proxy servers 104, 112, 204 by the multicast network 126*".

It would have been obvious for an ordinary skill in the art at the time of the invention to use the upstream and downstream proxy servers of Dillon et al and integrate them into the network of Hawkins et al to improve reporting in a remote network. An artisan in the network communications art at the time of the invention would have been motivated to include the plurality of proxy servers to get the advantage of improved reporting in the electronic network.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (703) 305-0269. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles
Patent Examiner
Art Unit 2143

William C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.

JJG

October 12, 2004